

**SUPREME COURT MINUTES  
FRIDAY, SEPTEMBER 10, 2004  
SAN FRANCISCO, CALIFORNIA**

**S011960**

PEOPLE v. COFFMAN AND MARLOW  
Time extended to consider modification or rehearing

to November 17, 2004, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S027264**

PEOPLE v. FRIEND (JACK W.)  
Extension of time granted

to November 8, 2004 to file respondent's brief. After that date, only three further extensions totaling about 150 additional days will be granted. Extension is granted based upon Deputy Attorney General Gregg E. Zywicke's representation that he anticipates filing that brief by 4/6/2005.

**S030553**

PEOPLE v. WILLIAMS (GEORGE)  
Extension of time granted

to October 29, 2004 to file appellant's opening brief. Extension is granted based upon counsel Daniel N. Abrahamson's representation that he anticipates filing that brief by 10/29/2004. After that date, no further extension will be granted.

**S034072**

PEOPLE v. CURL (ROBERT ZANE)  
Extension of time granted

to October 15, 2004 to file appellant's opening brief. Extension is granted based upon counsel Musawwir Spiegel's representation that he anticipates filing that brief by 10/15/2004. After that date, no further extension will be granted.

**S046816**PEOPLE v. THORNTON (MARK S.)  
Extension of time granted

to October 29, 2004 to file respondent's brief. Extension is granted based upon Deputy Attorney General John R. Gorey's representation that he anticipates filing that brief by 10/29/2004. After that date, no further extension will be granted.

**S047867**PEOPLE v. VIRGIL (LESTER W.)  
Extension of time granted

to November 8, 2004 to file appellant's opening brief. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Manuel J. Baglanis's representation that he anticipates filing that brief by 12/2004.

**S048337**PEOPLE v. THOMAS (REGIS)  
Extension of time granted

to November 15, 2004 to file appellant's opening brief. After that date, only one further extension totaling about 30 additional days will be granted. based upon Deputy State Public Defender Mary K. McComb's representation that she anticipates filing that brief by 12/15/2004.

**S067392**PEOPLE v. FREDERICKSON (DANIEL C.)  
Extension of time granted

to November 8, 2004 to file appellant's opening brief.

**S067394**PEOPLE v. CAPISTRANO (JOHN L.)  
Extension of time granted

to November 9, 2004 to file appellant's opening brief. After that date, only five further extensions totaling about 300 additional days

will be granted. Extension is granted based upon Deputy State Public Defender Audrey R. Chavez's representation that she anticipates filing that brief by 9/10/2005.

**S102652**

TAYLOR (ROBERT C.) ON H.C.  
Extension of time granted

to October 15, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Michael Laurence's representation that he anticipates filing that document by 11/15/2004.

**S120020**

TAFOYA (INGNACIO A.) ON H.C.  
Extension of time granted

to October 14, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 60 additional days will be granted. Extension is granted based upon counsel Gary D. Sowards's representation that he anticipates filing that document by 12/14/2004.

**S121004**

DANKS (JOSEPH MARTIN) ON H.C.  
Extension of time granted

to October 8, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 60 additional days will be granted. Extension is granted based upon counsel Gary D. Sowards's representation that he anticipates filing that document by 12/8/2004.

**S122384**STURM (GREGORY) ON H.C.  
Extension of time granted

to October 1, 2004 to file the informal response to the petition for writ of habeas corpus. After that date, only three further extensions totaling about 75 additional days will be granted. Extension is granted based upon Deputy Attorney General Karl T. Terp's representation that he anticipates filing that document by 12/15/2004.

**S122545**OLIVER (ANTHONY) ON H.C.  
Extension of time granted

to October 12, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon counsel Robert M. Myers's representation that he anticipates filing that document by October 12, 2004. After that date, no further extension will be granted.

**S123149**CLEVELAND ON H.C.  
Extension of time granted

to October 8, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only three further extensions totaling about 80 additional days will be granted. Extension is granted based upon Assistant State Public Defender Donald J. Ayoob's representation that he anticipates filing that document by 12/2004.

**S124998**SAMUELS (MARY ELLEN) ON H.C.  
Extension of time granted

to October 8, 2004 to file the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 52 additional days will be granted. Extension is granted based upon Deputy

Attorney General Kyle S. Brodie's representation that he anticipates filing that document by 11/30/2004.

**S125276**

HINTON (ERIC LAMONT) ON H.C.  
Extension of time granted

to January 8, 2004 to file the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 40 additional days will be granted. Extension is granted based upon Deputy Attorney General Gary A. Lieberman's representation that he anticipates filing that document by 11/15/2004.

**S126085**

DYKES (ERNEST) ON H.C.  
Extension of time granted

to October 5, 2004 to file the informal response to the petition for writ of habeas corpus. After that date, only six further extensions totaling about 180 additional days will be granted. Extension is granted based upon Deputy Attorney General Eric D. Share's representation that he anticipates filing that document by 4/3/2005.

**S115929**

MILNER ON DISCIPLINE  
Probation revoked

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **DENNIS VANCE MILNER, State Bar No. 113464**, must be suspended from the practice of law for one year; that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including actual suspension for 30 days and restitution. Costs are awarded to the State Bar in accordance with Business &

Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

**S119283**

WEINERT ON DISCIPLINE  
Probation modified

Good cause having been shown, it is hereby ordered that the probation of **DIANA WEINERT, State Bar No. 112953**, imposed in Supreme Court Case number S119283 (02-J-12848) is extended for three years as modified by the Hearing Department of the State Bar Court in its order approving stipulation filed on July 8, 2004. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and one third of said costs must be added to and become part of the membership fees for the years 2005, 2006, and 2007.

**S125798**

DISTEFANO ON DISCIPLINE  
Recommended discipline imposed

It is ordered that **RICHARD DISTEFANO, State Bar No. 39584**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 18 months and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension must be given for the period of interim suspension which commenced on November 27, 2003. (*In re Young* (1989) 49 Cal.3d257,270.) Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on April 21, 2004, as modified by its order filed May 21, 2004. It is also

ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 with one-third of said costs to be added to and become part of the membership fees for the years 2005, 2006, and 2007.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S125802**

**GULLA ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **CAROL R. GULLA, State Bar No. 164437**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be actually suspended from the practice of law for 90 days as recommended by the Hearing Department of the State Bar Court in its decision filed on April 28, 2004; and until the State Bar Court grants a motion to terminate her actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating her actual suspension. If respondent is actually suspended for two years or more, she must remain actually suspended until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of her actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of

Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S125804**

**HAGENDORF ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **WAYNE A. HAGENDORF, State Bar No. 151026**, be suspended from the practice of law for five months, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed May 13, 2004. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within nine months after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2005 and 2006.

**S127583**

**BESHLIAN ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **CHRIS H. BESHLIAN, State Bar No. 176506**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in



subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S127585**

LOY ON RESIGNATION

The voluntary resignation of **TIMOTHY JOHN LOY, State Bar No. 192480**, as a member of the State Bar of California is accepted.